

**REMARKS**

Claims 74-101 are pending in the application, with claims 74, 75 and 90 being independent. Claims 100 and 101 have been added. Claim 82 is amended for grammatical reasons and is not a narrowing amendment. Reconsideration of the application is respectfully requested in view of the amendments and following remarks.

**Traversal of §102(b) Rejections**

Claims 74-90 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,014,688 to Venkatraman *et al* ("Venkatraman"). This rejection is respectfully traversed.

For anticipation of a claim under 35 U.S.C. § 102, a single prior art reference must contain each and every limitation of the claim, either expressly or under the doctrine of inherency. *Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1560, 1570 (Fed. Circ), cert. denied, 488 U.S. 892 (1988). Applicants submit that Venkatraman does not disclose or suggest every limitation of the claimed inventions.

Claim 74 recites, in part:

*selectively controlling access to the electronic content based on a result of the transmission of the notification information.* (Emphasis added)

However, Venkatraman is specifically directed in two embodiments to a method of creating in sender computer 20 with creation executable software an E-mail attachment containing recipient executable software and message and then transmitting the E-mail with attachment to the recipient computer 30. The recipient executable software is then used to display any enhanced email message on a display 38 of the recipient computer 30. In a second version, the creation executable software is loaded into memory 22B of the sender computer 20 and the recipient executable is loaded into memory 32B of the recipient computer 32. The attachment in this second embodiment does not contain the recipient executable software. The envelope container of the E-mail created by the

sender contains object components such as the intended recipient address, sender address, stamp and digital time stamp.

Once the designated recipient receives the E-mail and opens it (or another trigger occurs), a return receipt (if requested by sender) using the recipient address in the received header of the envelope is returned to the sender or other address specified by the sender. That is, the return receipt is sent based on the trigger. Access to the content of the envelope is then based on pre-defined conditions as defined by component or Vixel attributes (see Fig 13 and col. 7, lines 32-66, in view of col. 6, lines 16-38; and also col. 8, lines 1-9). That is, access to the envelope content is controlled by the Vixel attributes as pre-defined by the sender.

Access to the envelop content is not based on a result of a transmission. Venkatraman does not suggest or teach any other variations on this theme, nor are other variations as suggested by the Examiner possible. For example, Venkatraman does not disclose or suggest certain limitations as required by claim 1 of the invention, such as:

*selectively controlling access to the electronic content based on a result of the transmission of the notification information. (Emphasis added)*

On page 4 of the Office Action, the Examiner cites a passage in Venkatraman at col. 7, lines 47-67, along with Fig 14, to provide support for the assertion that the cited passage discloses the limitations of claim 1. However, a careful examination of this passage and Figure 14, especially when read in context of Figure 13 and col. 7, lines 19-46, simply discloses that a return receipt is sent based on an event 124, such as, for example, clicking on (or mousing over) a Vixel, i.e., a component (col. 7, lines 38-45 in view of lines 59-62). A return receipt is a commonly known one-way message. The Vixel is typically pre-defined to initiate action, i.e., control processing, such as displaying of terms and conditions that a user must respond (col. 7, lines 57-59). The recipient's response to the terms and conditions may be sent using the return receipt (col. 7, lines 59-61). If the conditions (of the terms and conditions) are responded to in a manner deemed appropriate by the sender (i.e., as determined by the predefined Vixel operation as sent by the sender in the email), appropriate contents of the envelope may be

accessible to the recipient. That is, access to the contents is controlled by the pre-defined Vixel, as deemed appropriate by the sender when the envelope was created (see for example col. 5, lines 3-21 in reference to envelope and Vixel creation, and also col. 6, lines 51-65). But, nowhere does Venkatraman disclose or suggest all of the limitations of claim 1 including “selectively controlling access to the electronic content based on a result of the transmission of the notification information.”

Referring to independent claim 75, Venkatraman again does not disclose all the limitations of independent claim 75. For example, claim 75 recites, in part:

*the notification information is collected by executing the executable instructions when triggered by an event at one or more successive computers other than the first computer and the notification information is received at a network address other than a network address transmitting the electronic data...* (Emphasis added)

On page 4 of the Office Action, the Examiner cites a passage in Venkatraman at col. 8, lines 24-42, in an attempt to demonstrate that Venkatraman discloses the claimed subject matter. However, a review of this passage at col. 8, lines 24-42 does not support the Examiner’s assertion. Rather, this passage simply discloses that a return receipt is sent from the initial recipient to the sender (see particularly col. 8, lines 38-41). Nowhere in Venkatraman is there any disclosure or suggestion of “one or more successive computers other than the first computer.”

Referring to independent claim 90, again Venkatraman does not disclose or suggest all the claimed limitations. Claim 90 recites, in part:

*transmitting the electronic data and executable instructions to one or more successive computers...*

and,

*executing the computer executable instructions at the one or more successive computers...*

On page 6 of the Office Action, the Examiner again cites the passage at col. 8, lines 24-42 to support the assertion that Venkatraman discloses the claimed subject matter. However, this passage does not disclose or suggest:

*transmitting the electronic data and executable instructions  
to one or more successive computers... (Emphasis added)*

and,

*executing the computer executable instructions at the one  
or more successive computers... (Emphasis added)*

Rather, this cited passage of Venkatraman discloses sending responses from a first recipient back to an initial sender. Applicant submits that nowhere in Venkatraman is there any disclosure or suggestion of executable instructions being transmitted to one or more successive computers. Further, there is no disclosure or suggestion that computer instructions are executed at one or more successive computers.

Therefore, since neither Venkatraman, nor any other prior art of record, discloses or suggests all the claimed limitations, Applicant submits that independent claims 74, 75 and 90 are allowable and that the §102(b) rejections should now be withdrawn. Moreover, Applicant submits that claims 76-89 depend from allowable independent claim 75, and for at least this reason are also allowable.

#### **Traversal of 103(a) Rejections**

Claims 77-78, 91, 92 and 95 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Venkatraman as applied to claim 75 and further in view of U.S. Patent No. 6,075,862 to Yoshida *et al.* ("Yoshida"). This rejection is respectfully traversed.

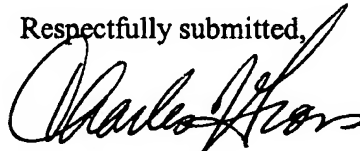
Applicants submit that the dependent claims 77-78, 91, 92 and 95 depend from a respective allowable independent claim 75 or 90 and therefore are also allowable for at least this reason. Therefore, Applicants submit that the 103(a) rejections should now be withdrawn.

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**Conclusion**

In view of the foregoing amendments and remarks, Applicants submit that all of the pending claims are in clear condition for immediate allowance and respectfully requests that the application be passed promptly to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 23-1951.

Respectfully submitted,



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